IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 369 of 2005
in
Arbitration Petition No. 74 of 2005

L.& T. Finance Ltd. ..Appellant

vs.

1. Ashwin Crane & Construction
and another ..Respondents

Mr.D.D.Madon i/b Mrs.Shakuntala Joshi for appellant.
Mr.S.K.Jain for respondents.

CORAM: A.P.SHAH &
S.J.VAZIFDAR JJ.
26th April, 2005

P.C.

1. Heard Advocates. Perused the order of the learned single Judge.

2. Considering the fact that all the machines were not handed over to the Court Receiver as per the order passed by the earlier Bench the learned single Judge was right in not entertaining the application for interim relief. We do not inclined to interfere with the impugned order, however, it will be open for the appellants to apply for appropriate interim relief before the Arbitrator under sec.17 of the Act and in case such an application is made the learned Arbitrator will decide the same in accordance with law uninfluenced by the order passed by this Court.

3. All contentions of the parties are left open.

4. Appeal stands disposed of.